

Nru. 95

12. 7. 2019

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Liġi mressaq mill-Onorevoli Michael Falzon, M.P., Ministru għall-Familja, Drittijiet tat-Tfal u Solidarjetà Soċjali, u moqri għall-Ewwel darba fis-Seduta tad-9 ta' Lulju 2019.

A BILL introduced by the Honourable Michael Falzon, M.P., Minister for the Family, Children's Rights and Social Solidarity, and read the First time at the Sitting of the 9th July 2019.

ATT sabiex jemenda l-Att dwar il-Professjoni tal-Counselling, Kap. 538.

AN ACT to amend the Counselling Profession Act, Cap. 538.

RAYMOND SCICLUNA
Skrivan tal-Kamra tad-Deputati

RAYMOND SCICLUNA
Clerk of the House of Representatives

ABBOZZ TA' LIĠI
msejjah

ATT sabiex jemenda l-Att dwar il-Professjoni tal-Counselling, Kap. 538.

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità tal-istess, hareġ b'liġi dan li ġej:-

1. It-titolu fil-qosor ta' dan l-Att huwa l-Att tal-2019 li jemenda l-Att dwar il-Professjoni tal-*Counselling*, u dan l-Att għandu jinqara u jinftiehem haġa waħda mal-Att dwar il-Professjoni tal-*Counselling*, hawn aktar 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor.

Kap. 538.

2. L-artikolu 2 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 2 tal-Att prinċipali.

(a) fit-tifsira "*counselling* bi speċjalizzazzjoni", minnufih wara l-kliem "mhux anqas minn 30 ECTS" għandhom jiżdiedu l-kliem "f'livell 7 tal-*Malta Qualifications Framework*";

(b) minnufih wara t-tifsira "*counselling* bi speċjalizzazzjoni" għandha tiżdied it-tifsira ġdida li ġejja:

" "*counselling trainee*" tfisser persuna li tkun reġistrata fir-reġistru ta' *counselling trainees* miżmum mill-Kunsill u li qed issegwi taħriġ fil-professjoni tal-*counselling* rikkonoxxut mill-Kunsill, skont l-artikolu 24;"

(ċ) fil-verżjoni bl-Ingliż tat-tifsira "the course", minnufih wara l-kliem "personal development" għandhom jiżdiedu l-kliem " , research";

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(d) fit-tifsira "il-Kunsill" il-kelma "dwar il-" għandha tiġi sostitwita bil-kelma "għall-";

(e) fil-paragrafu (b) tat-tifsira "prattika", minnufih wara l-kliem "minn min ikun registrat" għandhom jiżdiedu l-kliem "mill-Kunsill";

(f) fit-tifsira "superviżur tal-*counselling*" il-kliem "jkollha taħriġ" għandhom jiġu sostitwiti bil-kliem "tkun haċet taħriġ f'superviżjoni fil-*Counselling*" u l-kliem "fis-superviżjoni tal-*counsellors*" għandhom jiġu sostitwiti bil-kliem "f'livell 7 tal-*Malta Qualifications Framework*"; u

(g) fit-tifsira "*warrant* temporanju" l-kliem "iżda li ma jkollhiex esperjenza xierqa ta' Prattika fil-professjoni tal-*counselling*" għandhom jiġu sostitwiti bil-kliem "u li tista' tipprattika l-professjoni tal-*counselling* taħt superviżjoni minn superviżur tal-*counselling* u skont linji gwida mill-Kunsill."

Emenda tal-artikolu 3 tal-Att prinċipali.

3. Fil-paragrafu (b) tas-subartikolu (4) tal-artikolu 3 tal-Att prinċipali l-kliem "kif imsemmi fis-subartikolu ta' qabel dan." għandhom jiġu sostitwiti bil-kliem "kif imsemmi fis-subartikolu ta' qabel dan:"; u minnufih wara għandu jiżdied il-proviso ġdid li ġej:

"Iżda meta persuna tkun qed tipprattika l-professjoni tal-*Counselling* fuq bażi *part-time* u ma tagħmilx elf (1,000) siegħa ta' *counselling* taħt is-superviżjoni ta' superviżur tal-*counsellors* fi żmien sitt (6) snin, din il-persuna tista' titlob lill-Kunsill għal estenzjoni ta' dan iż-żmien."

Emenda tal-artikolu 4 tal-Att prinċipali,

4. L-artikolu 4 tal-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:

(i) il-kliem "dwar il-", inklużi fin-nota marginali tiegħu, għandhom jiġu sostitwiti bil-kelma "għall-";

(ii) fis-subparagrafu (iii) tal-paragrafu (a) tiegħu, il-kelma "seba'" għandha tiġi sostitwita bil-kelma "ħames"; u

(iii) fil-paragrafu (c) tiegħu, minnufih wara l-kliem "*counsellor* wieħed" għandhom jiżdiedu l-kliem "b'*warrant* shiħ fil-professjoni tal-*counselling*" u minnufih wara l-kliem "il-Fakultà għat-Tishiħ tas-Socjetà fl-Università ta' Malta" għandhom jiżdiedu l-kliem "u li għandhom *warrant* temporanju jew *warrant* shiħ fil-professjoni tal-*counselling*";

(b) fis-subartikolu (6) tiegħu, fil-verżjoni bl-Ingliż, il-kliem "original engagement" għandhom jiġu sostitwiti bil-kelma "seat"; u

(e) fis-subartikolu (7) tiegħu, fil-verżjoni bl-Ingliż, il-kelma "present" għandha tiġi sostitwita bil-kliem "in order".

5. Minnufih wara s-subparagrafu (vi) tal-paragrafu (d) tas-subartikolu (1) tal-artikolu 5 tal-Att prinċipali għandu jiżdied is-subparagrafu ġdid li ġej:

Emenda tal-artikolu 5 tal-Att prinċipali.

"(vii) Regjistru tal-*Counselling Trainees*";.

6. Fil-proviso tas-subartikolu (10) tal-artikolu 6 tal-Att prinċipali l-kliem "uffiċjali fid-diplomazija jistgħu jużaw il-kelma "*Counsellor*" " għandhom jiġu sostitwiti bil-kliem "uffiċjali fid-diplomazija jistgħu jużaw it-titolu "*Counsellor*" ".

Emenda tal-artikolu 6 tal-Att prinċipali.

7. Fis-subartikolu (3) tal-artikolu 13 tal-Att prinċipali l-kliem "mill-Kunsill u ma' dik ir-registrazzjoni" għandhom jiġi sostitwiti bil-kliem "mill-Kunsill. Dik ir-registrazzjoni".

Emenda tal-artikolu 13 tal-Att prinċipali.

8. L-artikolu 20 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 20 tal-Att prinċipali.

(a) fis-subartikolu (2) tiegħu l-kliem "Għall-finijiet tal-artikolu 3(3)(d), kull" għandhom jiġu sostitwiti bil-kelma "Kull";

(b) fil-paragrafu (a) tas-subartikolu (3) tiegħu, minnufih wara l-kliem "ikollha kwalifika ta' diploma" għandhom jiżdiedu l-kliem "f'livell 7 tal-*Malta Qualifications Framework*"; u

(ċ) fis-subartikolu (4) tiegħu l-kliem "Fakultà tal-Edukazzjoni" għandhom jiġu sostitwiti bil-kliem "Fakultà għat-Tishih tas-Soċjetà".

9. L-artikolu 23 tal-Att prinċipali għandu jiġi emendat kif ġej:

Emenda tal-artikolu 23 tal-Att prinċipali.

(a) fis-subartikolu (1) tiegħu l-kliem "sitt xhur" għandhom jiġu sostitwiti bil-kliem "sittin xahar";

(b) minnufih wara s-subartikolu (2) tiegħu, għandu jiżdied s-subartikolu ġdid li ġej:

"(3) Persuna tikkwalifika biex titniżżel fir-Regjistru tal-*Counselling Trainees* biss jekk dik il-persuna:

(a) tkun ċittadina ta' Malta jew tal-UE, jew

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xort'oħra tkun legalment intitolata jew awtorizzata biex taħdem f'Malta;

(b) jkollha kondotta tajba u jkollha karattru morali tajjeb;

(c) jkollha kapacità sħiħa legali;

(d) tkun kisbet grad ta' Baċċelerat f'dixxiplina ta' xjenza umana u/jew soċjali; u

(e) tkun qed issegwi taħriġ fil-*Counselling* fil-grad ta' *Masters* rikonoxxut mill-Kunsill.

(2) Persuna ma tistax tiffunzjona bħala *Counselling Trainee* jekk din ma tkunx registrata fir-Registru tal-*Counselling Trainees*."

Għanijiet u Raġunijiet

L-għanijiet u r-raġunijiet ta' dan l-Abbozz huma li jemendaw il-Kapitolu 538 tal-Liġijiet ta' Malta liema emendi għandhom l-għan li jiggwidaw aħjar il-professjoni ta' *counselling* li jipprevedu, fost affarijiet oħra, ir-rikonoxximent ta' *counselling trainees*. Barra minn hekk l-emenda se tipprovdi stampa aktar ċara ta' liema livell ta' edukazzjoni u taħriġ huma mistennija mill-prattikanti fil-livelli varji.

A BILL
entitled

AN ACT to amend the Counselling Profession Act, Cap. 538.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:-

1. The short title of this Act is the Counselling Profession (Amendment) Act, 2019, and this Act shall be read and construed as one with the Counselling Profession Act, hereinafter referred to as the "principal Act". Short title.
Cap. 538.

2. Article 2 of the principal Act shall be amended as follows: Amendment of
article 2 of the
principal Act.
 - (a) in the definition "the Council", the word "of" shall be substituted by the word "for";

 - (b) in the definition "counselling supervisor", the words "is trained in the area of supervising counsellors" shall be substituted by the words "has read a training course in counselling supervision" and immediately after the words "not less than 30 ECTS" there shall be added the words "at level 7 within the Malta Qualifications Framework";

 - (c) immediately after the definition "counselling supervisor" there shall be added the following new definition:

" "counselling trainee" means a person who is registered by the Council in a register kept for Counselling Trainees and is undergoing training in counselling which is recognized by the Council, according to article 24;"

 - (d) in the definition "counselling with specialisation"

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immediately after the words "not less than 30 ECTS" there shall be added the words "at level 7 within the Malta Qualifications Framework";

(e) in the definition "the course" immediately after the words "personal development" there shall be added the word " , research";

(f) in paragraph (b) the definition "practise", immediately after the words "by a person registered" there shall be added "by the Council"; and

(g) in the definition "temporary warrant" the words "who does not have adequate experience to practice the counselling profession" shall be deleted and immediately after the words "warrant kept by the Council" there shall be added the words "who can practice the counselling profession under supervision of a counselling supervisor and according to guidelines issued by the Council."

Amendment of article 3 of the principal Act.

3. In paragraph (b) of sub-article (4) of article 3 of the principal Act, the words "as mentioned in the foregoing sub-article." shall be substituted by the words "as mentioned in the foregoing sub-article:"; and immediately thereafter there shall be added the following new proviso:

"Provided that when the person who is practicing the counselling profession on a part time basis does not perform one thousand (1,000) hours of supervised counselling under the supervision of a counselling supervisor within six (6) years, he may request the Council to be granted an extension of the said time."

Amendment of article 4 of the principal Act.

4. Article 4 of the principal Act shall be amended as follows:

(a) sub-article (1) thereof shall be amended as follows:

(i) the word "of", also in the marginal note, shall be substituted by the word "for";

(ii) in sub-paragraph (iii) of paragraph (a) thereof the word "seven" shall be substituted by the word "five";

(iii) in paragraph (c) thereof, immediately after the words "one counsellor," there shall be added the words "in possession of a full warrant" and immediately after the words "Social Wellbeing at the University of Malta" there shall be added the words "and who are also in possession

of a temporary or a full warrant in counselling";

(b) in sub-article (6) thereof, the word "engagement" shall be substituted by the word "seat"; and

(c) in sub-article (7) thereof, the word "present" shall be substituted by the words "in order".

5. Immediately after sub-paragraph (vi) of paragraph (d) of sub-article (1) of article 5 of the principal Act, there shall be added the following new sub-paragraph:

Amendment of article 5 of the principal Act.

"(vii) Register for Counselling Trainees;".

6. In the proviso of sub-article (10) of article 6 of the principal Act, the word "word" shall be substituted by the word "title".

Amendment of article 6 of the principal Act.

7. In sub-article (3) of article 13 of the principal Act, "the Council and upon" shall be substituted by the words "the Council. Upon".

Amendment of article 13 of the principal Act.

8. Article 20 of the principal Act shall be amended as follows:

Amendment of article 20 of the principal Act.

(a) in sub-article (2) thereof, the words "For the purposes of article 3(3)(d), any" shall be substituted by the word "Any";

(b) in paragraph (a) of sub-article (3) thereof, immediately after the words "has a diploma" there shall be added the words "at level 7 within the Malta Qualifications Framework"; and

(c) in sub-article (4) thereof, the words "Faculty of Education" shall be substituted by the words "Faculty for Social Wellbeing".

9. Article 23 of the principal Act shall be amended as follows:

Amendment of article 23 of the principal Act.

(a) in sub-article (1) thereof, the words "six months" shall be substituted by the words "sixty months"; and

(b) immediately after sub-article (2) thereof, there shall be added the following new sub-article:

"(3) A person shall only qualify to be registered in the Register for Counselling Trainees unless he:

(a) is a citizen of Malta or a citizen of the EU, or is otherwise legally entitled or authorised to work in Malta;

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(b) is in possession of a clean conduct and is of a good moral character;

(c) has full legal capacity;

(d) has obtained a Bachelor's degree in one of the human and/or social sciences; and

(e) has been accepted for training in a Masters degree in Counselling recognized by the Council.

(2) No person can function as a Counselling Trainee unless being registered in the Register for Counselling Trainees."

Objects and Reasons

The objects and reasons of this Bill are to amend Chapter 538 of the Laws of Malta which amendments aim to achieve the better streamlining of the counselling profession which envisage, amongst other things, the recognition of counselling trainees. Moreover the amendment will provide a clearer picture of what level of education and training is expected by practitioners at the various levels.

VERŻJONI ELETTRONIKA